



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

SO ORDERED. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 59.

May 16, 2025

Arun Subramanian, U.S.D.J.

Date: May 19, 2025

**VIA ECF**

The Honorable Arun Subramanian  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *American Federation of Teachers, AFL-CIO, et al. v. Goldstein, et al.*,  
No. 25 Civ. 03072 (SDNY) (AS)

Dear Judge Subramanian:

This Office represents Gregory Goldstein, in his official capacity as the Acting Director of the Federal Mediation and Conciliation Service (“FMCS”), FMCS, the United States of America, the United States Office of Management and Budget (“OMB”), and Russell T. Vought, in his official capacity as the Director of OMB (collectively, “Defendants” or the “Government”) in the above-referenced action brought by Plaintiffs pursuant to Administrative Procedure Act (“APA”). We write respectfully on behalf of all parties to request that the initial pretrial conference scheduled for May 21, 2025, at 4:00 PM be adjourned *sine die*. ECF No. 7.

Because this is an action brought pursuant to the APA, the parties expect that this matter will be resolved through motions for summary judgment. As explained in the parties’ joint letter dated May 14, 2025, the parties do not anticipate exchanging discovery in this action. ECF No. 57. In addition, Local Rule 16.1 exempts this matter from the mandatory scheduling order required by Federal Rule of Civil Procedure 16(b).

Moreover, and as noted in the parties’ joint letter, the parties propose to provide the Court with a recommendation for a summary judgment briefing schedule within 24 hours of Plaintiffs’ receipt of the administrative record. ECF No. 57. The current deadline for the Government to compile the administrative record and produce it to Plaintiffs is May 27, 2025. ECF No. 55. The parties therefore intend to file a joint letter with a proposed briefing schedule by May 28, 2025.

As a result, the parties respectfully submit that an initial pretrial conference is not necessary at this time, and that the May 21 conference be adjourned *sine die*. The parties are, of course, happy to attend the conference if the Court would prefer to hold it. If the Court does prefer to hold a conference, Plaintiffs respectfully request that it be held via videoconference or teleconference, if appropriate.

The parties thank the Court for its consideration of this letter.

Respectfully submitted,

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(VIA ECF)